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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,142	11/25/2003	John C. Gudenkauf	MSFT-2755/303265.01	6319

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EXAMINER

DEBROW, JAMES J

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 11/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/721,142

Applicant(s)

GUDENKAUF ET AL.

Examiner

James J. Debrow

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9-21 and 23-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,9-21 and 23-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in responsive to communications: Request for Continued Examination filed on 06 Oct. 2006.
2. Claims 1-7, 9-21, and 23-28 are pending in this case. Claims 1, and 15, are independent claims.

Applicant's Response

3. In Applicant's Response dated 11 Aug. 2006, Applicant amended Claims 1 and 15 and argued rejections of previous action.

Continued Examination Under 37 CFR 1.114

4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06 Oct. 2006 has been entered.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 1-7, 9-21, and 23-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Brandenburg (Pub. No.: 2004/0199867 A1; Effective Filing Date: Dec. 16, 2003).**

In regard to independent claims 1 and 15, Brandenburg discloses a *computing system having a transforming process operating thereon, the transforming process:*

receiving a selection of a piece of edited content, the content including a plurality of items (0034; Brandenburg discloses Publishing Content Objects (POC), which are created and managed in the content management system.).

receiving a selection of a dynamic edit form to be employed with the content to produce a page to be rendered for display the edit form including a plurality of controls, each control specifying a unique type within the edit form and corresponding to a graphic display element that may appear on the page, each control including attributes specifying use of the control on the page (0008; 0047 -0049, Brandenburg discloses a

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dynamic Layout Budget which is utilized as a tool for selecting content to be included in a specific issue and editions of news products.), *the attributes including a minimum and/or maximum number of instances of the control on the page and at least one selectable attribute that can be set to define a property of the control as appearing on the page, the selectable attributes including an order of an instance of the control within the page in relation to other instances of controls in the page (0004; 0053; 0159-0167; Brandenburg discloses different tables which hold information describing each POC.), the edit form having no indicia tying same to any particular piece of content, whereby the edit form may be employed in connection with multiple pieces of content (0037-0038).*

receiving a selection of a content-control statement tying the selected content to the selected edit form, by selecting the selected edit form and including for each item of the selected content the type of one of the controls of the selected edit form such that the item is to be displayed in the page according to the corresponding type of control (0021-0026; 0042-0046; 0062-0066; Brandenburg discloses associating metadata defines in the content-management system with a POC.).

generating a layout statement specifying how each item of the selected content is to appear in the page based on the corresponding control set forth in the selected edit form tied to the selected content by the selected content-control statement, the generated layout statement including a plurality of layout directives, each directive to be

carried out with regard to one of the items of the content to render the page, each directive setting at least one selectable attribute of the instance of the control specified for the item by the selected content-control statement (0026; 0139-0143; 0150; 0154; Brandenburg discloses automation rules to be logged assignment metadata containing information related to the status of publishing content objects).

outputting the page based on the selected content, the selected edit form, the selected content control statement, and the generated layout statement, the page being in a pre-selected rendering format (0112; 0150; 0234-0238; Brandenburg discloses outputting the metadata and the POC associated with it.).

the transforming process generating the layout statement without modifying any of the selected content, the selected edit form, and the selected content-control statement (0112; 0140; 0143; 0251- 0257).

In regard to dependent claims 2 and 16, Brandenburg discloses *the computing system of claim 1 wherein the transforming process receives each of the piece of edited content, the edit form, the content control statement, and the layout statement in an computer-based markup language (Claim 3; Brandenburg discloses the POC are arranged to be media neutral by storing or managing them using an XML structure.).*

In regard to dependent claims 3 and 17, Brandenburg discloses *the computer*

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system of claim 1 wherein the transforming process receives the edited content in a neutral format not specific to any particular rendering format (Abstract; Claims 2 & 3; Brandenburg discloses the POC are arranged to be media neutral by storing or managing them using an XML structure. It has been established and is well known in the art that XML is an neutral format language that is capable of describing many different kinds of data.).

In regard to dependent claims 4 and 18, Brandenburg disclose *the computing system of claim 1 wherein the transforming process further receives a selection of the pre-selected rendering format (0168; Brandenburg discloses a format filed within the PCO encapsulation table, which hold information about the format of the actual PCO.).*

In regard to dependent claims 5 and 19, Brandenburg discloses *the computing system of claim 4 wherein the transforming process applies the edited content, the edit form, the content-control statement, and the layout statement along with the selected rendering format to produce a page based on the edited content and the layout statement in the applied rendering format (0112; 0140; 0143; 0251- 0257) .*

In regard to dependent claims 6 and 20, Brandenburg disclose *the computing system of claim 1 wherein the transforming process applies the pre-selected rendering format as a transform along with the edited content, the edit form, the content control statement, and the layout statement to produce the page (0168; Brandenburg discloses*

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a format filed within the PCO encapsulation table, which hold information about the format of the actual PCO.).

In regard to dependent claims 7 and 21, Brandenburg discloses *the computing system of claim 1 wherein the transforming process outputs a plurality of versions of the page based on the edited content, the edit form, the content control statement, and the layout statement, each version of the page being in a pre-selected rendering format* (0229-0239; Brandenburg discloses a format filed within the PCO encapsulation table, which hold information about the format of the actual PCO. Brandenburg further disclose it is possible to design different forms for different types of contents and for different states of a given type. Thus, *wherein the transforming process outputs a plurality of versions of the page based on the edited content, the edit form, the content control statement, and the layout statement, each version of the page being in a pre-selected rendering format*).

In regard to dependent claims 9 and 23, Brandenburg discloses *the computing system of claim 1 wherein the transforming process further stores the outputted page on a server to be served over a network in response to a request therefor from a user on the network* (0229-0239; Brandenburg discloses it is possible to design different forms for different types of contents and for different states of a given type. These different designs are stored in the system/server.).

In regard to dependent claims 10 and 24, Brandenburg disclose *the computing system* of claim 1 wherein the transforming process further:

receives a selection of the page as another piece of edited content (0034;

Brandenburg discloses Publishing Content Objects (POC), which are created and managed in the content management system.).

receives another selection of a layout statement (0008; 0047 -0049, Brandenburg discloses a dynamic Layout Budget which is utilized as a tool for selecting content to be included in a specific issue and editions of news products.).

outputs another page based on the page and the another layout statement (0112; 0150; 0234-0238; Brandenburg discloses outputting the metadata and the POC associated with it.).

In regard to dependent claims 11 and 25, Brandenburg discloses the *computing system* of claim 1 wherein the transforming process:

receiving a selection of a plurality of pieces of edited content, each piece of edited content including at least one item and for each item a control for receiving the item and specifying attributes relating to displaying the received item in a page that is to be served to a requester thereof (0008; 0047 -0049, 0004; 0053; 0159-0167;

Brandenburg discloses a dynamic Layout Budget which is utilized as a tool for selecting content to be included in a specific issue and editions of news products. Brandenburg further discloses different tables, which hold information describing each POC.).

receiving a selection of a layout statement, the layout statement specifying each item of each piece of the edited content that is to appear in the page, including a layout order of such specified item within the page and any attributes to be applied to such item (0026; 0139-0143; 0150; 0154; Brandenburg discloses automation rules to be logged assignment metadata containing information related to the status of publishing content objects.).

outputting the page based on each piece of the edited content and the layout statement (0112; 0150; 0234-0238; Brandenburg discloses outputting the metadata and the POC associated with it.).

In regard to dependent claims 12 and 26, Brandenburg discloses the *computing system of claim 1 wherein the transforming process further receives a selection of a transform to be applied to the edited content, the transform for effectuating a pre-defined change on at least one of the edited content and the layout thereof, the transforming process outputting the page based on the edited content, the layout statement, and the transform to produce the page with the change effectuated therein (0112; 0140; 0143; 0251- 0257).*

In regard to dependent claims 13 and 27, Brandenburg discloses the *computing system of claim 12 wherein the transforming process further receives a*

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selection of a plurality of transforms to be applied to the edited content, each transform for effectuating a pre-defined change on at least one of the edited content and the layout thereof, the transforming process outputting the page based on the edited content, the layout statement, and each transform to produce the page with each corresponding change effectuated therein (0112; 0140; 0143; 0251- 0257).

In regard to dependent claims 14 and 28, Brandenburg disclose *the computing system of claim 12 wherein the transforming process:*

receives a first selection of the piece of edited content based on a request for a page based on the edited content from a first requester (0034; Brandenburg discloses Publishing Content Objects (POC), which are created and managed in the content management system.).

receives a selection of a first transform to be applied to the edited content, the selection of the first transform being based on a type of the first requester (0034; Brandenburg discloses Publishing Content Objects (POC), which are created and managed in the content management system.).

outputs a first version of the page based on the edited content and the first transform, the first version of the page for being served to the first requester (0112; 0150; 0234-0241; Brandenburg discloses outputting the metadata and the POC associated with it.).

receives a second selection of the piece of edited content based on a request for

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a page based on the edited content from a second requester(0034; Brandenburg discloses Publishing Content Objects (POC), which are created and managed in the content management system.).

receives a selection of a second transform to be applied to the edited content, the selection of the second transform being based on a type of the second requester (0034; Brandenburg discloses Publishing Content Objects (POC), which are created and managed in the content management system.).

outputs a second version of the page based on the edited content and the first transform, the second version of the page for being served to the second requester (0112; 0150; 0234-0241; Brandenburg discloses outputting the metadata and the POC associated with it.).

Note

7. It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the reference should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

Response to Arguments

8. Applicant's arguments, see Remarks, filed 11 Aug. 2006, have been fully considered and are persuasive. Therefore, the rejection has been withdrawn.

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However, upon further consideration, a new ground(s) of rejection is made in view of Brandenburg.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James J. Debrow whose telephone number is 571-272-5768. The examiner can normally be reached on 8:00-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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ART UNIT 2176



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